

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

SALAHUDDIN SMART,

Plaintiff,

v.

K. KELLY, et al.,

Defendants.

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Civil Action No. 12-7403 (JBS)

MEMORANDUM and ORDER

APPEARANCES:

Salahuddin Smart
1001 North Black Horse Pike
Runnemede, NJ 08078
Plaintiff pro se

SIMANDLE, Chief Judge

This matter was originally opened to the Court when Plaintiff Salahuddin Smart, then a prisoner, submitted a pro se Complaint and institutional account statements. By Opinion and Order [2, 3] entered December 20, 2012, this Court construed the submission of institutional account statements as an application for leave to proceed in forma pauperis, denied the request as deficient, and ordered the Clerk to administratively terminate this action. In addition, the Court granted Plaintiff leave to apply to re-open by submitting an affidavit setting forth his assets and liabilities and establishing that he is unable to pay the filing fee.

This matter is again before the Court upon Plaintiff's submission of various letters

[Docket Items 4, 5, 6, and 7] asking to reopen this matter and suggesting that he has complied with this Court's prior Order to submit an affidavit setting forth his assets and liabilities.

IT APPEARING THAT:

Plaintiff is no longer a prisoner; and it further appearing that

Title 28 U.S.C. § 1915(a)(1) requires any person seeking to proceed in forma pauperis to submit an affidavit setting forth his assets and liabilities and establishing that he is unable to pay the filing fee; and it further appearing that

Contrary to Plaintiff's suggestions, he has failed to comply with this Court's Order to submit an affidavit setting forth his assets and liabilities in support of his request to proceed in forma pauperis.

IT IS, therefore, on this 14th day of August, 2013,

ORDERED that Plaintiff's Letter requests [4, 5, 6, 7] to reopen this matter are DENIED.

s/ Jerome B. Simandle
Jerome B. Simandle
Chief Judge
United States District Court